

**REMARKS**

Claims 1, 3-5, 7-9, 11-13, and 15-17 are all the claims pending in the present application. Applicants thank the Examiner for withdrawing the previous prior art rejections. The Examiner now substitutes a new reference Vellanki (U.S. Patent No. 5,999,979) in place of a previously applied reference Satou et al (U.S. Patent No. 7,076,519), to support the rejections of the claims.

Specifically, claims 1, 3-5, 7-9, 11-13 and 15-17 are now rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ngo et al. (WO 00/04427) in view of Malkin et al. (EP 1 021 021) in view of Vellanki.

With respect to independent claim 1, Applicants submit that Vellanki does not disclose or suggest at least, “the system transmits a notifying message to said at least one of the plurality of service recipient devices prior to providing the service, to confirm whether said at least one of the plurality of service recipient devices is operable to receive the service or not,” as recited in claim 1. Vellanki discloses that data requests receive a subset of the responses in order to select the most advantageous protocol from protocols associated with the subset of the responses. However, Vellanki does not disclose or suggest the above emphasized feature of claim 1.

Additionally, Vellanki fails to teach or suggest at least, “provides the service to said at least one of the plurality of service recipient devices after receiving an affirmative response from said at least one of the plurality of service recipient devices,” (emphasis added) as recited in claim 1. That is, Vellanki fails to disclose or suggest transmitting a response notifying that an exemplary device is capable of receiving the service or not.

At least based on the foregoing, Applicants submit that Vellanki fails to render claim 1 unpatentable.

Applicants submit that independent claims 5, 9, 13 and 17 are patentable at least based on reasons analogous to those set forth above with respect to claim 1.

Applicants submit that dependent claims 3, 4, 7, 8, 11, 12, 15, and 16 are patentable at least by virtue of their respective dependencies.

Yet further, with respect to dependent claim 3, Applicants maintain the previously submitted argument that the applied references, either alone or in combination, do not teach or suggest at least, “wherein the additional identifying information includes information about at least one of a user name and a vendor,” as recited in claim 3. The Examiner alleges that Malkin satisfies this feature. However, Applicants maintain that nowhere does Malkin even mention identifying information including a user name or a vendor.

Applicants submit that claims 7, 11, and 15 are patentable at least for reasons similar to those set forth above with respect to claim 3.

Further, with respect to claim dependent 4, Applicants maintain that nowhere does Malkin teach or suggest that the push service provides a certain service to said at least one of the plurality of service recipient devices repeatedly in a predetermined period. Even if, *assuming arguendo*, Malkin discloses a push service, as the Examiner alleges, the recited portions of Malkin do not indicate that such service is performed repeatedly in a predetermined period. Malkin discloses that a push service only occurs when a device satisfies a specific status, however there is no mention of a predetermined period as recited in claim 4.

Applicants maintain that dependent claims 8, 12, and 16 are patentable at least for reasons similar to those set forth above with respect to claim 4.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

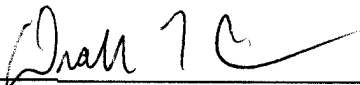
SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 16, 2008

  
\_\_\_\_\_  
Diallo T. Crenshaw  
Registration No. 52,778